

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

MEMORIAL RESOLUTION

S.R. 139 - By Doggett: Memorial resolution for T. W. "Dave" Davidson.

CONGRATULATORY RESOLUTIONS

S.R. 140 - By Doggett: Extending congratulations to American Heart Association and designating February 26 - March 3 as "Have a Heart" week.

S.R. 141 - By Schwartz: Extending congratulations to Pauline Henckel.

ADJOURNMENT

On motion of Senator Moore the Senate at 12:18 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(February 19, 1979)

S.B. 106

S.B. 353

Sent to Comptroller

(February 19, 1979)

S.B. 83

TWENTY-THIRD DAY

(Tuesday, February 20, 1979)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Absent-excused: Price, Truan.

A quorum was announced present.

The Reverend Dean Parmer, First Baptist Church, Kosse, Texas, offered the invocation as follows:

Lord, as we pause for a few moments this morning, we just give You thanks for the privilege of knowing You as Loving Father and Holy God. We thank You, Lord, for the privileges of life in this great state, in this nation. Especially this morning, Dear Heavenly Father, we pause to ask Your blessings upon those whom You've placed in these positions of responsibility and authority, as they guide and direct the operation of our state government. Lord, we realize that we don't even have any idea of the problems, the pressures, the temptations that they face daily, but we know You do and that You care. Lord, just give them a special portion of Your presence. Guide them with Your wisdom. Strengthen them with Your power. Encourage them and keep them in Your will, that they might make the right decisions daily. That these decisions might, Lord, truly lead us to the point where we can gain real victory over the problems that confront us in the present and that will prepare us to meet the challenges of the future. So, Lord, we just pray that You will keep them, that You will use them, that You will guide them and we'll be careful to give You all the praise for it is in His Holy Name we ask it. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Truan was granted leave of absence for today on account of illness on motion of Senator Doggett.

Senator Price was granted leave of absence for today on account of important business on motion of Senator Howard.

CO-AUTHOR OF SENATE JOINT RESOLUTION 15

On motion of Senator Kothmann and by unanimous consent, Senator Andujar will be shown as Co-author of **S.J.R. 15**.

CO-AUTHOR OF SENATE BILL 627

On motion of Senator Patman and by unanimous consent, Senator Schwartz will be shown as Co-author of **S.B. 627**.

REPORTS OF STANDING COMMITTEES

Senator Moore submitted the following report for the Committee on State Affairs:

S.B. 404
S.B. 482
S.B. 124 (Amended)
C.S.S.B. 349 (Read first time)

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 484 (Amended)

Senator Jones of Taylor submitted the following report for the Committee on Finance:

S.B. 589**S.B. 547****SENATE BILLS ON FIRST READING**

The following bills were introduced, read first time and referred to the Committee indicated:

S.B. 616 by Howard Natural Resources
Relating to the lease of state park land.

S.B. 617 by Howard Intergovernmental Relations
Relating to the creation, administration, powers, duties, functions, and financing of the Greater Texoma Municipal Utility District.

S.B. 618 by Creighton Finance
Relating to the interest rate on delinquent taxes.

S.B. 619 by Harris Economic Development
Relating to the expenses of examinations conducted by the State Board of Insurance; to the appropriate designation of the name of the State Board of Insurance; amending Article 1.16, Texas Insurance Code.

S.B. 620 by Farabee Economic Development
Relating to the licensing, the appointment and the provision for and use of certain fees and the general regulation of variable annuity agents and variable life insurance agents of companies authorized to write variable annuities and variable life insurance pursuant to Articles 3.72 and 3.73, Texas Insurance Code; the licensing, the appointment and the provision for and the use of certain fees and the general regulation of agents of corporations authorized to establish, maintain and operate non-profit legal services plans pursuant to Chapter 23, Texas Insurance Code; amending Article 3.72, Texas Insurance Code by adding new subsections (a), (b), (c), (d), (e); amending Article 3.73, Texas Insurance Code by adding Sections 10 and 11; amending Article 23.23, Texas Insurance Code; and declaring an emergency.

S.B. 621 by Jones of Taylor Finance
Relating to ad valorem taxation of property.

S.B. 622 by Mauzy Intergovernmental Relations
Relating to administrative aides and bailiffs for courts of record.

S.B. 623 by Moore State Affairs
Relating to regulation of personnel employment services; providing a penalty.

S.B. 624 by Short Finance
Relating to the exemption from the inheritance tax of certain benefits to survivors of governmental employees.

S.B. 625 by Howard Economic Development
Relating to the report to the governor by the State Board of Insurance; amending
Section 12, Article 1.10, Texas Insurance Code.

S.B. 626 by Schwartz Natural Resources
Relating to the creation of the Matagorda Island State Park.

S.B. 627 by Patman, Schwartz, Truan Intergovernmental Relations
Relating to creation of the 270th Judicial District, composed of Calhoun,
DeWitt, Goliad, Jackson, Refugio, and Victoria Counties, and reorganization of
the 135th Judicial District.

S.B. 628 by Ogg Human Resources
Relating to a state program to aid in the payment of utility bills on behalf of
needy aged individuals; providing a penalty.

S.B. 629 by Williams State Affairs
Relating to vehicle registration and license plates for medal of honor winners.

S.B. 630 by Meier Intergovernmental Relations
Relating to the validation of the incorporation and boundaries of certain
municipalities.

S.B. 631 by Longoria State Affairs
Relating to use of voting machines for absentee voting.

S.B. 632 by Short Intergovernmental Relations
Relating to the authority to create municipal courts of record in the city of
Lubbock and prescribing appeals from the municipal courts of record.

S.B. 633 by Doggett State Affairs
Relating to the authority of state agencies to establish specifications for supplies
purchased through the State Board of Control.

S.B. 634 by Jones of Harris Education
Relating to the purchase of school sites and the construction of school buildings
by certain independent school districts; amending Subsection (d), Section 20.48,
Texas Education Code; and declaring an emergency.

S.B. 635 by Jones of Harris Intergovernmental Relations
Relating to working hours for firemen in certain cities.

MESSAGE FROM THE HOUSE

House Chamber
February 20, 1979 .

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT
THE HOUSE HAS PASSED THE FOLLOWING:

H.C.R. 63 in memory of Kelly Kent

H.C.R. 68 commending the Honorable Barbara Jordan on exceptional public service

H.C.R. 69 in memory of the Honorable Tom King, former member of the Texas House

H.B. 618 relating to expenditures by the director of corrections for burial expense of an inmate of the penitentiary

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

BILL AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill and resolutions:

H.B. 300
H.C.R. 66
H.C.R. 65
H.C.R. 19

SENATE RESOLUTION 138

Senator Ogg offered the following resolution:

S.R. 138, Extending congratulations to Tina Michelle Payne.

The resolution was read and was adopted.

PRESENTATION OF GUESTS

The President recognized Senator Ogg who presented to the Members of the Senate Tina Michelle Payne and her parents, Mr. and Mrs. Joe Payne.

Tina was presented **S.R. 138** by the President.

SENATE CONCURRENT RESOLUTION 24 ON SECOND READING

On motion of Senator Longoria and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading:

S.C.R. 24, Granting C. K. Koelle, et al, permission to sue the State of Texas.

The resolution was read second time and was adopted.

COMMITTEE SUBSTITUTE SENATE BILL 292 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended

to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 292, Amending the Medical Liability and Insurance Improvement Act enacted by the 65th Legislature, being Article 4590j, V.C.S., relating to the Medical Disclosure Panel.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 292
ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 292** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Price, Truan.

The bill was read third time and was passed.

SENATE BILL 367 ON SECOND READING

On motion of Senator Short and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 367, Relating to the applicability of the state ethics and financial disclosure law to the judges of certain statutory courts.

The bill was read second time and was passed to engrossment.

SENATE BILL 367 ON THIRD READING

Senator Short moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 367** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Price, Truan.

The bill was read third time and was passed.

HOUSE CONCURRENT RESOLUTION 63

The President laid before the Senate the following resolution:

H.C.R. 63, In memory of Kelly Kent.

The resolution was read.

On motion of Senator Jones of Taylor and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

MOTION TO PLACE SENATE BILL 377 ON SECOND READING

Senator Creighton asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 377, Establishing the Texas Human Genetics Center to provide comprehensive genetic services in the areas of mental illness and mental retardation; transferring to the Center all powers, duties, functions, obligations, property, records and personnel of the genetics counseling and screening program of the Denton State School, et al, and declaring an emergency.

On motion of Senator Creighton and by unanimous consent, the motion to suspend the regular order and Constitutional Rule in order to consider **S.B. 377**, was withdrawn.

MESSAGE FROM THE HOUSE

House Chamber
February 20, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT
THE HOUSE HAS PASSED THE FOLLOWING:

HCR No. 5, creating a special committee to designate state poet laureate.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 261 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 261, Setting the limits permitted for group life insurance coverage for officials, employees, and retirees of county and political subdivisions of the state at the amounts authorized for coverage under group life insurance plans in general.

The bill was read second time.

Senator Harris offered the following committee amendment to the bill:

Amend **S.B. 261** by striking Section 1 thereof and substituting in lieu thereof the following:

Section 1. Subdivision (b) of Article 3.51-2 of the Insurance Code is amended to read as follows:

“(b) Any county or political subdivision of the State of Texas which is authorized by law to procure a contract insuring its respective officials, employees, and retirees or any class or classes thereof under a policy or policies of group insurance covering one or more risks may pay all or any portion of the premiums on such policy or policies from the local funds of such county or political subdivision of the State of Texas. ~~(provided that the amount of group life insurance on any one official, employee, or retiree shall not exceed \$25,000.)~~

The committee amendment was read and was adopted.

On motion of Senator Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 261 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 261** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Price, Truan.

The bill was read third time and was passed.

SENATE BILL 399 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 399, Relating to the issuance of subpoenas, administrative penalties, and the coverage of certain employers under the Texas Unemployment Compensation Act.

The bill was read second time and was passed to engrossment.

SENATE BILL 399 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 399** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Price, Truan.

The bill was read third time and was passed.

MEMORIAL RESOLUTIONS

H.C.R. 69 (Mauzy): Memorial resolution for Tom King, former Member of the House of Representatives.